

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A recombinant nucleic acid encoding an Apop3 protein that comprises an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.
2. (Previously Amended) A recombinant nucleic acid according to claim 1 comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
3. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid hybridizes under high stringency conditions to the ^{full complement of the} nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.
4. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
5. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein comprises the amino acid sequence depicted in Figure 6 (SEQ ID NO:6)
6. (Original) ~~A~~ recombinant nucleic acid according to claim 1 wherein said Apop3 protein is a human Apop3 protein.
7. (Previously Amended) A recombinant nucleic acid comprising nucleotides 1-822 depicted in Figure 5 (SEQ ID NO:5), or its ^{full} complement.

8. (Original) A recombinant nucleic acid according to claim 1 operably linked to control sequences recognized by a host cell transformed with the nucleic acid.
9. (Original) An expression vector comprising the nucleic acid of claim 1.
10. (Original) ^{An isolated} A host cell comprising the nucleic acid of claim 1.
11. (Original) ^{An isolated} A host cell comprising the expression vector of claim 9.
12. (Currently Amended) A recombinant Apop3 protein comprising an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.
13. (Previously Amended) An Apop3 protein according to claim 12 comprising the amino acid sequence depicted in Figure 6 (SEQ ID NO:6).
14. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
15. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
16. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid will hybridize under high stringency conditions to the ^{full complement of the} nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.
17. (Original) An Apop3 protein according to claim 12 wherein said Apop3 protein is a human Apop3 protein.

6-23-05
see
office communication
20050627
y

18. (Currently Amended) A recombinant Apop3 protein comprising the amino acid sequence 1-274 depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.

19. (Original) A process for producing an Apop3 protein according to claim 12 comprising culturing the host cell of claim 10 under conditions suitable for expression of said Apop3 protein.

20. (Original) A process according to claim 19, further comprising recovering said Apop3 protein.

21-24. (Cancelled)

21/ 25. (Currently Amended) A method for screening for a bioactive agent capable of modulating the ^{apoptotic} activity of an Apop3 protein according to claim 12, said method comprising the steps of:

a) adding a candidate bioactive agent to a cell comprising a recombinant nucleic acid encoding said Apop3 protein, wherein said Apop3 protein ~~affects~~ induces apoptosis; and

b) determining the effect of the candidate bioactive agent on apoptosis, thereby determining the ability of the candidate bioactive agent to modulate the ^{apoptotic} activity of the Apop3 protein.

22/ 26. (Original) A method according to claim 25 wherein a library of candidate bioactive agents is added to a plurality of cells comprising a recombinant nucleic acid encoding said Apop3 protein.

23/ 27. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 90% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.

24/ 28. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 95% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.

25/ 29. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 90% identical to SEQ ID NO:6.

26/ 30. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 95% identical to SEQ ID NO:6.